

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: EAST PALESTINE TRAIN
DERAILMENT

)
) CASE NO. 4:23CV0242
)
) JUDGE BENITA Y. PEARSON
)
) **ORDER**
) [Resolving [ECF No. 887](#)]

Pending is Third-Party Plaintiffs Norfolk Southern Corporation and Norfolk Southern Railway Company's ("Norfolk Southern") Motion for Judicial Notice Concerning the Class Action Settlement ([ECF No. 887](#)). Third-Party Defendants OxyVinyls LP and GATX Corporation oppose the motion. See Joint Status Report ([ECF No. 902](#)) at PageID #: 60722-29. The motion is denied. The purported "facts" at issue in Norfolk Southern's Motion are subject to reasonable dispute. Traditional methods of proof at trial remain for all of the parties.

IT IS SO ORDERED.

March 28, 2025
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge